

PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



May 13, 2004

Agenda ID # 3564
Alternate to Agenda Id # 3108

TO: PARTIES IN RESOLUTION T-16818

Enclosed is an alternate, sponsored by Commissioner Susan Kennedy, to draft resolution T-16818 of the Telecommunications Division. This will be on the agenda at the next Commission meeting that will be held on May 27, 2004. The Commission may then vote on these resolutions, or it may postpone a vote until later.

When the Commission votes on a draft resolution, it may adopt all or part of it as written, amend or modify it, or set it aside and prepare a different resolution. Only when the Commission acts does the resolution become binding on the parties.

Parties to the proceeding may submit comments on the draft alternate resolution. A hard copy *and* an email containing the original and 2 copies of the comments, with a certificate of service, should be submitted to:

Tim Sullivan, Advisor
tjs@cpuc.ca.gov
Office of Commissioner Susan Kennedy
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

In addition, an email and hard copies shall be sent to:

Karen L. Miller, Regulatory Analyst
knr@cpuc.ca.gov
Telecommunications Division, Third Floor
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Parties may submit comments on the draft resolution within 5 *calendar* days of its date of mailing. The date of submission is the date the comments are *received* by the Telecommunications Division. Parties must serve a copy of their comments on all persons

on the service list attached to the draft resolution, on the same date that the comments are submitted to the Telecommunications Division.

Comments shall be limited to 5 pages in length, plus a subject index listing the recommended changes to the draft resolution, a table of authorities and an appendix setting forth proposed findings and ordering paragraphs.

Comments shall focus on factual, legal, or technical errors in the proposed resolution. Comments, which merely reargue positions taken in the advice letter or protests, will be accorded no weight and should not be submitted.

Late-submitted comments will ordinarily be rejected. However, in extraordinary circumstances, a request for leave to submit comments late may be filed together with the proposed comments. An accompanying declaration under penalty of perjury shall be submitted setting forth all the reasons for the late submission.

Replies to comments may be submitted 5 days after comments are submitted and shall be limited to identifying misrepresentations of law, fact, or condition of the record contained in the comments of other parties. Replies shall not exceed three pages in length and shall be submitted and served in the same manner as comments.

Karen L. Miller
Regulatory Analyst
Telecommunications Division

Enclosures (Draft Resolution, Certificate of Service, Service List)

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of Commissioner Susan Kennedy's alternate to Draft Resolution T-16818 on all parties in this filing or their attorneys as shown on the attached list.

May 13, 2004, at San Francisco, California.

Carolina Mendiola

NOTICE

Parties should notify the Telecommunications Division, Third Floor, California Public Utilities Commission, 505 Van Ness Avenue, San Francisco, CA 94102, of any change of address to insure that they Continue to receive documents. You must indicate the Resolution Number on the service list on which your name appears.

Service List, Resolution T-16818

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